

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2012-130600-001 DT

12/07/2012

HONORABLE BRUCE R. COHEN

CLERK OF THE COURT
T. Gatz
Deputy

STATE OF ARIZONA

TRAVIS ENSIGN

v.

EDWIN RIVERA (001)

JAMES N HANKEY

OFFICE OF PUBLIC DEFENSE
SERVICES-CCC

**COUNSEL WITHDRAWN
OFFICE OF PUBLIC DEFENSE TO APPOINT COUNSEL
TRIAL VACATED
STATUS CONFERENCE SET**

9:52 a.m.

Courtroom 6B SCT

State's Attorney:	Travis Ensign
Defendant's Attorney:	James Hankey (appearing telephonically)
Defendant:	Present

Court Reporter, Gail Ferguson, is present.

A record of the proceeding is also made by audio and/or videotape.

This is the time set for Final Trial Management Conference.

Discussion is held.

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The State requested that Defendant submit to finger printing.

IT IS ORDERED that motion is granted and the Defendant shall submit to finger printing prior to leaving the courtroom this date.

Defense counsel has filed a Motion To Withdraw As Counsel. In this Motion he identifies issues relating to financial arrangements between Defendant and Defense counsel. Given the status of this case, such would not constitute good cause to allow for the withdrawal of counsel. However, Defense counsel notes that a six month suspension from the practice of law has been imposed and the Court finds that this constitutes sufficient grounds to grant the Motion To Withdraw As Counsel.

The Defendant lacks sufficient financial resources with which to retain private counsel. It is therefore appropriate to appoint counsel for Defendant subject to possible reimbursement orders in the future if Defendant is financially able to contribute to his own representation.

IT IS ORDERED withdrawing James Hankey as Defendant's counsel of record and relieving Mr. Hankey from all further responsibility in this matter.

IT IS FURTHER ORDERED that the Office of Public Defense Services shall assign new counsel for Defendant.

IT IS ORDERED vacating Trial set for December 12, 2012 before the Master Calendar Assignment Judge in Courtroom 5B in the South Court Tower.

IT IS ORDERED setting this matter for Status Conference on January 9, 2013 at 8:30 a.m. in this Division. Defendant shall appear in person on that date.

IT IS FURTHER ORDERED that James Hankey shall provide to court appointed counsel a copy of his entire file created in this matter so as to assist in the transition of representation. He shall do so upon request and regardless of whether the request is made before or after his suspension goes into effect.

IT IS ORDERED excluding time from December 12, 2012 until January 9, 2013 (28 days). **NEW LAST DAY: February 6, 2013.** The Court notes that additional time shall be excluded once an appropriate trial scheduled is reviewed with new counsel.

IT IS ORDERED affirming prior release conditions.

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10:00 a.m. Matter concludes.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>.
Attorneys are encouraged to review Supreme Court Administrative Order 2011-140 to determine their mandatory participation in eFiling through AZTurboCourt.